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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/777,902	02/07/2001	Hidehiro Matsumoto	040425/0149	4766

22428 7590 11/25/2003

FOLEY AND LARDNER
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WASHINGTON, DC 20007

EXAMINER

LASTRA, DANIEL

ART UNIT	PAPER NUMBER
3622	

DATE MAILED: 11/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/777,902

Applicant(s)

MATSUMOTO, HIDEHIRO

Examiner

DANIEL LASTRA

Art Unit

3622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2,4,6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 3622

DETAILED ACTION

1. Claims 1-32 have been examined. Application 09/777,902 (INFORMATION COMMUNICATION SYSTEM, INFORMATION COMMUNICATION METHOD, AND INFORMATION PROVISION BUSINESS METHOD) has a filing date 02/07/01 and a foreign priority 2000-031346 (02/09/2000).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-32 are rejected under 35 U.S.C. 102(e) as being anticipated by Herz (U.S. 6,029,195).

As per claim 1, Herz teaches:

An information communication system in which a service information provider registers in advance service information in information provision means, managed by a carrier, for providing the service information, and a user receives the service information by accessing the information provision means via a communication network, comprising:

a database for separately storing profile information indicating attribute information of the user and preference information indicating a preference and taste of

Art Unit: 3622

the user upon encrypting the profile information and preference information (see column 5, lines 5-67; column 40, lines 19-33; column 41, lines 14-21; column 44, lines 1-39).

As per claim 2, Herz teaches:

A system according to claim 1, wherein the profile information and preference information are pieces of information for which the user gave consent to disclosure (see column 5, lines 36-40).

As per claim 3, Herz teaches:

A system according to claim 1, further comprising means for generating a keyword for searching/ extracting information stored in said database on the service information provider side (see column 5, lines 5-65; column 6, lines 16-59; column 7, lines 1-16; column 2, lines 39-65; column 63, lines 9-24).

As per claim 4, Herz teaches:

A system according to claim 2, further comprising means for generating a keyword for searching/ extracting information stored in said database on the service information provider side (see column 5, lines 5-65; column 6, lines 16-59; column 7, lines 1-16; column 2, lines 39-65; column 63, lines 9-24).

As per claim 5, Herz teaches:

A system according to claim 3, further comprising information search means for searching said database to extract information in accordance with the keyword and supplying the extracted information to the service information provider (see column 5, lines 5-65; column 6, lines 16-59; column 7, lines 1-16; column 2, lines 39-65; column 63, lines 9-24).

As per claim 6, Herz teaches:

A system according to claim 4, further comprising information search means for searching said database to extract information in accordance with the keyword and supplying the extracted information to the service information provider (see column 5, lines 5-65; column 6, lines 16-59; column 7, lines 1-16; column 2, lines 39-65; column 63, lines 9-24).

As per claim 7, Herz teaches:

A system according to claim 5, wherein said information search means also supplies key information required to decrypt the extracted information (see column 93, lines 9-13).

As per claim 8, Herz teaches:

A system according to claim 6, wherein said information search means also supplies key information required to decrypt the extracted information (see column 93, lines 9-13).

As per claim 9, A system according to claim 1, further comprising storage means for, when the user accesses said information provision means, obtaining the profile information and preference information in accordance with contents of the access to said information provision means, and storing the profile information and preference information in said database (see column 5, lines 5-67; column 40, lines 19-33; column 41, lines 14-21; column 44, lines 1-39).

As per claim 10, Herz teaches:

A system according to claim 9, wherein said storage means acquires and stores terminal attribute information of the user and communication attribute information required to access said information provision means as the profile information (see column 4, line 35 – column 5, line 60).

As per claim 11, Herz teaches:

A system according to claim 9, wherein said storage means acquires and stores the preference information on the basis of link information obtained when the user sequentially selects menu items on a display screen in accessing said information provision means (see column 6, lines 16-43; column 8, lines 1-21).

As per claim 12, Herz teaches:

A system according to claim 9, wherein said storage means acquires and stores a filter condition as the preference information which is set when the user receives information from said information provision means and indicates necessity/non-necessity of information (see column 18, lines 10-30).

As per claim 13, Herz teaches:

A system according to claim 9, wherein said storage means acquires and stores positional information and a type of communication line, as the preference information, when the user is accessing (see column 94, lines 48-67; column 95, lines 56-60).

As per claim 14, Herz teaches:

A system according to claim 9, wherein said storage means acquires and stores as the preference information a use frequency of an access device through which the user is accessing (see column 57, lines 55-67).

Art Unit: 3622

Claim 15 contains the same limitation as claim 1 therefore the same rejection is applied.

Claim 16 contains the same limitation as claim 2 therefore the same rejection is applied.

Claim 17 contains the same limitation as claim 3 therefore the same rejection is applied.

Claim 18 contains the same limitation as claim 4 therefore the same rejection is applied.

Claim 19 contains the same limitation as claim 5 therefore the same rejection is applied.

Claim 20 contains the same limitation as claim 6 therefore the same rejection is applied.

Claim 21 contains the same limitation as claim 7 therefore the same rejection is applied.

Claim 22 contains the same limitation as claim 8 therefore the same rejection is applied.

Claim 23 contains the same limitation as claim 9 therefore the same rejection is applied.

Claim 24 contains the same limitation as claim 10 therefore the same rejection is applied.

Claim 25 contains the same limitation as claim 11 therefore the same rejection is applied.

Art Unit: 3622

Claim 26 contains the same limitation as claim 12 therefore the same rejection is applied.

Claim 27 contains the same limitation as claim 13 therefore the same rejection is applied.

Claim 28 contains the same limitation as claim 14 therefore the same rejection is applied.

Claim 29 contains the same limitation as claims 1, 3 and 5 therefore the same rejection is applied.

Claim 30 contains the same limitation as claim 2 therefore the same rejection is applied.

Claim 31 contains the same limitation as claim 7 therefore the same rejection is applied.

Claim 32 contains the same limitation as claims 5 and 7 therefore the same rejection is applied.

Conclusion

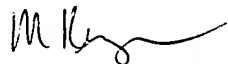
3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL LASTRA whose telephone number is 703-306-5933. The examiner can normally be reached on 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ERIC W STAMBER can be reached on 703-305-8469. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

D.L.

Daniel Lastra
November 3, 2003


MICHAEL KENNEDY
PATENT EXAMINER